General Assembly

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Seventieth session
Agenda item 72 (*b*)

Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/489/Add.2)*]

70/147. Protection of migrants

The General Assembly,

Recalling all its previous resolutions on the protection of migrants, the most recent of which is resolution 69/167 of 18 December 2014, and recalling also Human Rights Council resolution 29/2 of 2 July 2015,[1]

Reaffirming the Universal Declaration of Human Rights,[2] which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race,

Reaffirming also that everyone has the right to freedom of movement and residence within the borders of each State and the right to leave any country, including his or her own, and to return to his or her country,

Reaffirming further that everyone has the right to recognition everywhere as a person before the law,

Recalling all relevant international instruments, particularly the International Covenant on Civil and Political Rights[3] and the International Covenant on Economic, Social and Cultural Rights,[3] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[4] the International Convention for the Protection of All Persons from Enforced Disappearance,[5] the Convention on the Elimination of All Forms of Discrimination against Women,[6] the Convention on the Rights of the Child,[7] the International Convention on the Elimination of All Forms of Racial Discrimination,[8] the Convention on the Rights of

[1] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. V, sect. A.

[2] Resolution 217 A (III).

[3] See resolution 2200 A (XXI), annex.

[4] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[5] Ibid., vol. 2716, No. 48088.

[6] Ibid., vol. 1249, No. 20378.

[7] Ibid., vol. 1577, No. 27531.

[8] Ibid., vol. 660, No. 9464.

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Persons with Disabilities,[9] the Vienna Convention on Consular Relations,[10] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[11] and the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[12] in particular the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[13] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[14]

Acknowledging the relevant contribution of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families to the international system for the protection of migrants,

Recalling the provisions concerning migrants contained in the outcome documents of major United Nations conferences and summits, including the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development[15] and the 2030 Agenda for Sustainable Development,[16]

Recalling also Commission on Population and Development resolutions 2006/2 of 10 May 2006[17] and 2009/1 of 3 April 2009,[18] and its resolution 2013/1 of 26 April 2013 on new trends in migration: demographic aspects,[19]

Taking note of advisory opinion OC 16/99 of 1 October 1999 on the Right to Information on Consular Assistance in the Framework of the Guarantees of the Due Process of Law, advisory opinion OC 18/03 of 17 September 2003 on the Juridical Condition and Rights of Undocumented Migrants, and advisory opinion OC 21/14 of 19 August 2014 on the Rights and Guarantees of Children in the Context of Migration and/or in Need of International Protection, issued by the Inter-American Court of Human Rights,

Taking note also of the Judgment of the International Court of Justice of 31 March 2004 in the case concerning *Avena and Other Mexican Nationals*[20] and the Judgment of the Court of 19 January 2009 regarding the request for interpretation of the *Avena* Judgment,[21] and recalling the obligations of States reaffirmed in both decisions,

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[9] Ibid., vol. 2515, No. 44910.

[10] Ibid., vol. 596, No. 8638.

[11] Ibid., vol. 2220, No. 39481.

[12] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

[13] Ibid., vol. 2241, No. 39574.

[14] Ibid., vol. 2237, No. 39574.

[15] Resolution 63/303, annex.

[16] Resolution 70/1.

[17] See *Official Records of the Economic and Social Council, 2006, Supplement No. 5* (E/2006/25), chap. I, sect. B.

[18] Ibid., *2009, Supplement No. 5* (E/2009/25), chap. I, sect. B.

[19] Ibid., *2013, Supplement No. 5* (E/2013/25), chap. I, sect. B.

[20] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 4* (A/59/4), chap. V, sect. A.

[21] Ibid., *Sixty-fourth Session, Supplement No. 4* (A/64/4), chap. V, sect. B.

Underlining the importance of the Human Rights Council in promoting respect for the protection of the human rights and fundamental freedoms of all, including migrants,

Recognizing that women represent almost half of all international migrants, and in this regard recognizing also that women migrant workers are important contributors to social and economic development in countries of origin and destination, and underlining the value and dignity of their labour, including the labour of domestic workers,

Welcoming the adoption of the 2030 Agenda for Sustainable Development in its entirety, and recalling Sustainable Development Goals 8 and 10, including the targets on the protection of labour rights and promotion of safe and secure working environments for all workers, including migrant workers, in particular women migrants and those in precarious employment, and on the facilitation of orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies,

Recognizing the importance of the second High-level Dialogue on International Migration and Development, held on 3 and 4 October 2013, which recognized the important contribution of migration in realizing the Millennium Development Goals and recognized that human mobility is a key factor for sustainable development,

Noting the eighth summit meeting of the Global Forum on Migration and Development, hosted by Turkey from 14 to 16 October 2015, under the overarching theme of "Strengthening partnerships: human mobility for sustainable development", which addressed the link between migration and development, and the issues of protecting the human rights of migrants, promoting the well-being of all people moving across international borders, migration as a factor of development, and enhancing international cooperation and partnerships among all stakeholders on emerging issues in migration and mobility,

Acknowledging the cultural and economic contributions made by migrants to their communities of origin and destination and the need to identify appropriate means of maximizing development benefits, to respond to the challenges that migration poses to countries of origin, transit and destination, to promote dignified, humane treatment with applicable protections and access to basic services, and to strengthen mechanisms for international cooperation,

Emphasizing the multidimensional character of international migration, the importance of international, regional and bilateral cooperation and dialogue in this regard, as appropriate, and the need to protect the human rights of all migrants, particularly at a time when migration flows have increased in the globalized economy and take place in a context of continued security concerns,

Acknowledging the complexity of migratory flows and that international migration movements also occur within the same geographical regions, and in this context calling for a better understanding of migration patterns across and within regions,

Deeply concerned at the large and growing number of migrants, especially women and children, including those unaccompanied or separated from their parents, who place themselves in a vulnerable situation by attempting to cross international borders, and recognizing the obligation of States to respect the human rights of those migrants in accordance with their applicable international human rights obligations,

Recognizing the importance of coordinating international efforts to provide assistance and support to migrants in vulnerable situations and, as appropriate, facilitate their voluntary return to their countries of origin or procedures for determining the need for international protection while respecting the principle of non-refoulement,

Bearing in mind the obligations of States under international law, as applicable, to exercise due diligence to prevent crimes targeting migrants and to investigate and punish perpetrators, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of victims,

Affirming that migrant smuggling and crimes against migrants, including trafficking in persons, continue to pose a serious challenge and require a concerted international assessment and response and genuine multilateral cooperation among countries of origin, transit and destination for their eradication,

Bearing in mind that policies and initiatives on the issue of migration, including those that refer to the orderly management of migration, should promote holistic approaches that take into account the causes and consequences of the phenomenon, as well as full respect for the human rights and fundamental freedoms of migrants,

Stressing the importance of all regulations and laws regarding irregular migration, at all levels of government, being in accordance with the obligations of States under international law, including international human rights law,

Stressing also the obligation of States to protect the human rights of migrants regardless of their migration status, including when implementing their specific migration and border security policies, and expressing its concern at measures which, including in the context of policies aimed at reducing irregular migration, treat irregular migration as a criminal rather than an administrative offence, where the effect of doing so is to deny migrants the full enjoyment of their human rights and fundamental freedoms, and in this regard recalling that sanctions and the treatment given to irregular migrants should be commensurate with their offences,

Aware that, as criminals take advantage of migratory flows and attempt to circumvent restrictive immigration policies and border controls, migrants become more vulnerable to, inter alia, kidnapping, extortion, forced labour, sexual exploitation, physical assault, debt servitude and abandonment,

Recognizing the contributions of young migrants to countries of origin and destination, and in that regard encouraging States to consider the specific circumstances and needs of young migrants,

Concerned about the large number of migrants, especially women and children, including those unaccompanied or separated from their parents, who place themselves in a vulnerable situation by crossing or attempting to cross international borders without the required travel documents, and recognizing the responsibility of States to respect the human rights of those migrants,

Recognizing the obligations of countries of origin, transit and destination under international human rights law,

Underlining the importance for States, in cooperation with civil society, including non-governmental organizations, workers' organizations and the private sector, among other relevant stakeholders, to undertake information campaigns aimed at clarifying opportunities, limitations, risks and rights in the event of

migration in order to enable everyone to make informed decisions and to prevent anyone from utilizing dangerous means to cross international borders,

1. *Calls upon* States to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migration status, especially those of women and children, and to address international migration through international, regional or bilateral cooperation and dialogue and a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants and avoiding approaches that might aggravate their vulnerability;

2. *Expresses its concern* about the impact of financial and economic crises as well as natural disasters and the effects of climate-related phenomena on international migration and migrants, and in that regard urges Governments to combat unfair and discriminatory treatment of migrants, in particular migrant workers and their families;

3. *Reaffirms* the rights set forth in the Universal Declaration of Human Rights[2] and the obligations of States under the International Covenants on Human Rights,[3] and in this regard:

(*a*) Strongly condemns acts, manifestations and expressions of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges States to apply and, where needed, to reinforce existing laws when hate crimes, xenophobic or intolerant acts, manifestations or expressions against migrants occur, in order to eradicate impunity for those who commit those acts and, where appropriate, to provide effective remedy to the victims;

(*b*) Encourages States to establish or, when appropriate, strengthen mechanisms which allow migrants to report alleged cases of abuse by relevant authorities and employers without fear of reprisal, and which allow for such complaints to be addressed fairly;

(*c*) Expresses concern about legislation adopted by some States that results in measures and practices that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

(*d*) Calls upon States to ensure that their laws and policies, including in the areas of counter-terrorism and combating transnational organized crime, such as trafficking in persons and smuggling of migrants, fully respect the human rights of migrants;

(*e*) Calls upon States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[11] as a matter of priority, and requests the Secretary-General to continue his efforts to promote and raise awareness of the Convention;

(*f*) Takes note of the report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on its twenty-first and

twenty-second sessions;[22] 4. *Also reaffirms* the duty of States to effectively promote and protect the human rights and fundamental freedoms of all migrants, especially those of women and children, regardless of their migration status, in conformity with the Universal Declaration of Human Rights and the international instruments to which they are party, and therefore:

(*a*) Calls upon all States to respect the human rights and inherent dignity of migrants, to put an end to arbitrary arrest and detention and, in order to avoid excessive detention of irregular migrants, to review, where necessary, detention periods and to use alternatives to detention, where appropriate, including measures that have been successfully implemented by some States;

(*b*) Encourages States to put in place, if they have not yet done so, appropriate systems and procedures in order to ensure that the best interests of the child are a primary consideration in all actions or decisions concerning migrant children, regardless of their migration status, and to use, when applicable, alternatives to the detention of migrant children;

(*c*) Encourages States to cooperate and to take appropriate measures, in full conformity with their obligations under international human rights law, to prevent, combat and address the smuggling of migrants, including strengthening laws, policies, information-sharing and joint operational functions, enhancing capacities and support opportunities for migration in a well-managed, safe and dignified manner and strengthening legislative methods for criminalizing acts of smuggling migrants, particularly women and children;

(*d*) Urges all States to adopt effective measures to prevent and punish any form of illegal deprivation of liberty of migrants by individuals or groups;

(*e*) Requests States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, and to adequately train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with their obligations under international human rights law;

(*f*) Underlines the right of migrants to return to their country of citizenship, and recalls that States must ensure that their returning nationals are duly received;

(*g*) Calls upon States to analyse and implement, where appropriate, mechanisms for the safe and orderly administration of returning migrants, with particular attention to the human rights of migrants, in accordance with their obligations under international law;

(*h*) Calls upon States to prosecute, in conformity with applicable law, acts of violation of the human rights of migrants and their families, such as arbitrary detention, torture and violations of the right to life, including extrajudicial executions, during their transit from the country of origin to the country of destination and vice versa, including transit across national borders;

(*i*) Recognizes the particular vulnerability of migrants in transit situations, including through national borders, and the need to ensure full respect for their human rights also in these circumstances;

[22] Ibid., *Seventieth Session, Supplement No. 48* (A/70/48).

(*j*) Also recognizes the importance of promoting respect for human rights in coordinated efforts of the international community to assist and support migrants who are stranded or in vulnerable situations;

(*k*) Reaffirms emphatically the duty of States parties to ensure full respect for and observance of the Vienna Convention on Consular Relations,[10] in particular with regard to the right of all foreign nationals, regardless of their migration status, to communicate with a consular official of the sending State in case of arrest, imprisonment, custody or detention, and the obligation of the receiving State to inform the foreign national without delay of his or her rights under the Convention;

(*l*) Requests all States, in conformity with national legislation and applicable international legal instruments to which they are party, to enforce labour law effectively, including by addressing violations of such law, with regard to migrant workers' labour relations and working conditions, inter alia, those related to their remuneration and conditions of health, safety at work and the right to freedom of association;

(*m*) Invites Member States to consider ratifying relevant conventions of the International Labour Organization, including the Domestic Workers Convention, 2011 (No. 189) on decent work for domestic workers;

(*n*) Encourages all States to remove unlawful obstacles, where they exist, that may prevent the safe, transparent, unrestricted and expeditious transfer of remittances, earnings, assets and pensions of migrants to their country of origin or to any other countries, and, in conformity with applicable laws, regulations and agreements, to consider, as appropriate, measures to resolve any identified issues that may impede such transfers or subject them to impractical restrictions;

(*o*) Recalls that the Universal Declaration of Human Rights recognizes that everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted to him or her;

5. *Emphasizes* the importance of protecting persons in vulnerable situations, and in this regard:

(*a*) Expresses its concern about the increase in the activities and profits of transnational and national organized crime entities and others who profit from crimes against migrants, especially migrant women and children, without regard for dangerous and inhumane conditions, and in flagrant violation of national laws and international law and contrary to international standards;

(*b*) Also expresses its concern about the high level of impunity enjoyed by traffickers and their accomplices as well as other members of organized crime entities and, in this context, the denial of rights and justice to migrants who have suffered from abuse;

(*c*) Calls upon States, within the framework of applicable international law, to take steps to ensure that their national procedures at international borders include adequate safeguards to protect the dignity, safety and human rights of all migrants;

(*d*) Welcomes immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family reunification and promote a harmonious, tolerant and respectful environment, and encourages States to consider the possibility of adopting these types of programmes;

(*e*) Calls upon States that have not already done so to provide for the protection of the human rights of women migrant workers, to promote fair labour

conditions and to ensure that all women, including care workers, are legally protected against violence and exploitation;

(*f*) Encourages States to implement gender-sensitive policies and programmes for women migrant workers, to provide safe and legal channels that recognize the skills and education of women migrant workers and, as appropriate, to facilitate their productive employment, decent work and integration into the labour force, including in the fields of education and science and technology;

(*g*) Encourages all States to develop international migration policies and programmes that include a gender perspective, in order to adopt the measures necessary to better protect women and girls against dangers and abuse during migration;

(*h*) Calls upon States to protect the human rights of migrant children, given their vulnerability, particularly unaccompanied migrant children, ensuring that the best interests of the child are a primary consideration in their legislation, policies and practices, including on integration, return and family reunification;

(*i*) Encourages all States to prevent and eliminate discriminatory policies and legislation at all levels of government that deny migrant children access to education and, while taking into account the best interests of the child as a primary consideration, to foster the successful integration of migrant children into the education system and the removal of barriers to their education in host countries and countries of origin;

(*j*) Reminds all States that all persons, including migrants, should have access to lifelong learning opportunities that help them acquire the knowledge and skills needed to take advantage of opportunities and to participate fully in society;

(*k*) Urges States to ensure that repatriation mechanisms allow for the identification and special protection of persons in vulnerable situations, including unaccompanied children and persons with disabilities, and take into account, in conformity with their international obligations and commitments, the principle of the best interests of the child, clarity of reception and care arrangements and family reunification;

(*l*) Urges States parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[12] in particular the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[13] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[14] to implement them fully, and calls upon States that have not done so to consider ratifying or acceding to them as a matter of priority;

6. *Encourages* States to take into account the conclusions and recommendations of the study of the Office of the United Nations High Commissioner for Human Rights on challenges and best practices in the implementation of the international framework for the protection of the rights of the child in the context of migration[23] when designing and implementing their migration policies;

[23] A/HRC/15/29.

7. *Also encourages* States to protect migrants from becoming victims of national and transnational organized crime, including kidnapping and trafficking and, in some instances, smuggling, including through the implementation of programmes and policies that prevent victimization and guarantee protection and access to medical, psychosocial and legal assistance, where appropriate;

8. *Encourages* Member States that have not already done so to enact national legislation and to take further effective measures to combat trafficking in persons and smuggling of migrants, recognizing that these crimes may endanger the lives of migrants or subject them to harm, servitude, exploitation, debt bondage, slavery, sexual exploitation or forced labour, and also encourages Member States to strengthen international cooperation to prevent, investigate and combat such trafficking in persons and smuggling of migrants and to identify and disrupt financial flows related to these activities;

9. *Stresses* the importance of international, regional and bilateral cooperation in the protection of the human rights of migrants, and therefore:

(*a*) Requests all States, international organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues the global character of the migratory phenomenon and to give due consideration to international, regional and bilateral cooperation in this field, including by undertaking dialogues on migration that include countries of origin, transit and destination, as well as civil society, including migrants, with a view to addressing, in a comprehensive manner, inter alia, its causes and consequences and the challenge of undocumented or irregular migration, granting priority to the protection of the human rights of migrants;

(*b*) Encourages States to promote the effective implementation of the 2030 Agenda for Sustainable Development,[16] including its target 10.7 on the facilitation of orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies;

(*c*) Also encourages States to take the measures necessary to achieve policy coherence on migration at the national, regional and international levels, including by ensuring coordinated child protection policies and systems across borders that are in full compliance with international human rights law;

(*d*) Further encourages States to cooperate effectively in protecting witnesses in cases of smuggling of migrants, regardless of their migration status;

(*e*) Encourages States to cooperate effectively in protecting witnesses and victims in cases of trafficking in persons, regardless of their migration status;

(*f*) Calls upon the United Nations system and other relevant international organizations and multilateral institutions to enhance their cooperation in the development of methodologies for the collection and processing of statistical data on international migration and the situation of migrants in countries of origin, transit and destination and to assist Member States in their capacity-building efforts in this regard;

(*g*) Encourages States to include, as appropriate, information on the implementation of their international obligations related to the human rights of migrants in their national reports to the universal periodic review mechanism of the Human Rights Council;

10. *Welcomes* the consideration afforded to the issues of migration, development and human rights in the 2030 Agenda for Sustainable Development;

11. *Encourages* States, relevant international organizations, civil society, including non-governmental organizations, and the private sector to continue and to enhance their dialogue in relevant international meetings with a view to strengthening and making more inclusive public policies aimed at promoting and respecting human rights, including those of migrants;

12. *Requests* Governments and international organizations to take appropriate measures to give due consideration to the declaration of the High-level Dialogue on International Migration and Development, held on 3 and 4 October 2013;[24]

13. *Recognizes* the importance of the contribution of the United Nations High Commissioner for Human Rights, the Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Special Rapporteur of the Human Rights Council on the human rights of migrants, as well as other key actors, to the discussion on international migration;

14. *Invites* the Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its seventy-first session, under the item entitled "Promotion and protection of human rights", as a way to enhance communication between the Assembly and the Committee;

15. *Invites* the Special Rapporteur on the human rights of migrants to submit his report to the General Assembly and to engage in an interactive dialogue at its seventy-first session, under the item entitled "Promotion and protection of human rights";

16. *Takes note* of the report of the Secretary-General on the promotion and protection of human rights, including ways and means to promote the human rights of migrants, [25] and notes the recommendations on migrant domestic workers contained therein;

17. *Requests* the Secretary-General to submit to the General Assembly and the Human Rights Council at their seventy-first and thirty-third sessions, respectively, a comprehensive report entitled "Human rights of migrants", covering all aspects of the implementation of the present resolution;

18. *Decides* to remain seized of the matter.

80th plenary meeting
17 December 2015

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[24] Resolution 68/4.

[25] A/70/259.

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Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/489/Add.2)*]

70/148. Protection of human rights and fundamental freedoms while countering terrorism

The General Assembly,

Reaffirming the purposes and principles of the Charter of the United Nations,

Reaffirming also the Universal Declaration of Human Rights,[1]

Reaffirming further the Vienna Declaration and Programme of Action,[2]

Reaffirming the fundamental importance, including in response to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law,

Reaffirming also that States are under the obligation to protect all human rights and fundamental freedoms of all persons,

Reaffirming further that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Reiterating the important contribution of measures taken at all levels against terrorism, consistent with international law, in particular international human rights, refugee and humanitarian law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights and fundamental freedoms, as well as the need to continue this fight, including by strengthening international cooperation and the role of the United Nations in this respect,

Reaffirming its unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, as criminal and unjustifiable, and renewing its commitment to strengthen international cooperation to prevent and combat terrorism,

[1] Resolution 217 A (III).

[2] A/CONF.157/24 (Part I), chap. III.

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Deeply deploring the occurrence of violations of human rights and fundamental freedoms in the context of the fight against terrorism, as well as violations of international refugee and humanitarian law,

Noting with concern measures that can undermine human rights and the rule of law, such as the detention of persons suspected of acts of terrorism in the absence of a legal basis for detention and due process guarantees, the deprivation of liberty that amounts to placing a detained person outside the protection of the law, the trial of suspects without fundamental judicial guarantees, the illegal deprivation of liberty and transfer of individuals suspected of terrorist activities, the return of suspects to countries without individual assessment of the risk of there being substantial grounds for believing that they would be in danger of subjection to torture and limitations to effective scrutiny of counter-terrorism measures,

Expressing its concern at the increasing use, in a globalized society, by terrorists and their supporters, of information and communications technologies, in particular the Internet and other media, and the use of such technologies to commit, incite, recruit for, fund or plan terrorist acts, noting the importance of cooperation among stakeholders in the implementation of the United Nations Global Counter-Terrorism Strategy,[3] including among Member States, international, regional and subregional organizations, the private sector and civil society, to address this issue, while respecting human rights and fundamental freedoms and complying with international law and the purposes and principles of the Charter, and reiterating that such technologies can be powerful tools in countering the spread of terrorism, including by promoting tolerance, dialogue among peoples and peace,

Stressing that all measures used in the fight against terrorism, including the profiling of individuals and the use of diplomatic assurances, memorandums of understanding and other transfer agreements or arrangements, must be in compliance with the obligations of States under international law, including international human rights, refugee and humanitarian law,

Stressing also that a criminal justice system based on respect for human rights and the rule of law, including due process and fair trial guarantees, is one of the best means for effectively countering terrorism and ensuring accountability,

Recalling article 30 of the Universal Declaration of Human Rights, and reaffirming that acts, methods and practices of terrorism in all its forms and manifestations are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States and destabilizing legitimately constituted Governments, and that the international community should take the steps necessary to enhance cooperation to prevent and combat terrorism,[4]

Alarmed by the increasing number of terrorist acts targeting ethnic, religious and cultural groups, and seriously concerned at all attacks upon religious places, sites and shrines, including any deliberate destruction of relics and monuments,

Recognizing that respect for all human rights, respect for democracy and respect for the rule of law are interrelated and mutually reinforcing,

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[3] Resolution 60/288.

[4] A/CONF.157/24 (Part I), chap. III, sect. I, para. 17.

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment and of abiding strictly by the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[5] in the fight against terrorism,

Recalling its resolution 68/178 of 18 December 2013, Human Rights Council resolutions 25/7 of 27 March 2014[6] and 29/9 of 2 July 2015,[7] as well as other relevant resolutions and decisions, as stated in the preamble to General Assembly resolution 65/221 of 21 December 2010, and welcoming the efforts of all relevant stakeholders to implement those resolutions,

Recalling also its resolution 60/288 of 8 September 2006, by which it adopted the United Nations Global Counter-Terrorism Strategy, and its resolution 68/276 of 13 June 2014 on the review of the Strategy, reaffirming that the promotion and protection of human rights for all and the rule of law are essential to the fight against terrorism, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals but are complementary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism,

Recalling further Human Rights Council resolution 22/8 of 21 March 2013,[8] by which the Council decided to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism,

Recalling its resolution 64/115 of 16 December 2009 and the annex thereto, entitled "Introduction and implementation of sanctions imposed by the United Nations", in particular the provisions of the annex regarding listing and delisting procedures,

1. *Reaffirms* that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law;

2. *Deeply deplores* the suffering caused by terrorism to the victims and their families, expresses its profound solidarity with them, and stresses the importance of providing them with assistance and other appropriate measures to protect, respect and promote their human rights;

3. *Expresses serious concern* at the occurrence of violations of human rights and fundamental freedoms, as well as of international refugee and humanitarian law, committed in the context of countering terrorism;

4. *Reaffirms* that all counter-terrorism measures should be implemented in accordance with obligations under international law, including international human rights, refugee and humanitarian law, thereby taking into full consideration the human rights of all, including persons belonging to national or ethnic, religious and linguistic minorities, and that such measures in this regard must not be discriminatory on grounds such as race, colour, sex, language, religion or social origin;

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[5] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[6] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.

[7] Ibid., *Seventieth Session, Supplement No. 53* (A/70/53), chap. V, sect. A.

[8] Ibid., *Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

5. *Also reaffirms* the obligation of States, in accordance with article 4 of the International Covenant on Civil and Political Rights,[9] to respect certain rights as non-derogable under any circumstances, recalls, in regard to all other Covenant rights, that any measures derogating from the provisions of the Covenant must be in accordance with that article in all cases, underlines the exceptional and temporary nature of any such derogations,[10] and in this regard calls upon States to raise awareness about the importance of these obligations among national authorities involved in combating terrorism;

6. *Urges* States, while countering terrorism:

(*a*) To fully comply with their obligations under international law, in particular international human rights, refugee and humanitarian law, with regard to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

(*b*) To take all steps necessary to ensure that persons deprived of liberty, regardless of the place of arrest or detention, benefit from the guarantees to which they are entitled under international law, including the review of the detention and other fundamental judicial guarantees;

(*c*) To ensure that no form of deprivation of liberty places a detained person outside the protection of the law, and to respect the safeguards concerning the liberty, security and dignity of the person, in accordance with international law, including international human rights and humanitarian law;

(*d*) To take all steps necessary to ensure the right of anyone arrested or detained on a criminal charge to be brought promptly before a judge or other officer authorized by law to exercise judicial power and the entitlement to trial within a reasonable time or release;

(*e*) To treat all prisoners in all places of detention in accordance with international law, including international human rights and humanitarian law;

(*f*) To respect the right of persons to equality before the law, courts and tribunals and to a fair trial as provided for in international law, including international human rights law, such as the International Covenant on Civil and Political Rights, and international humanitarian and refugee law;

(*g*) To safeguard the work of civil society by ensuring that counter-terrorism laws and measures are consistent with and are applied in a manner that fully respects human rights, particularly the rights to freedom of expression, peaceful assembly and association;

(*h*) To safeguard the right to privacy in accordance with international law, in particular international human rights law,[11] and to take measures to ensure that interferences with or restrictions on that right are not arbitrary, are adequately regulated by law and are subject to effective oversight and appropriate redress, including through judicial review or other means;

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[9] See resolution 2200 A (XXI), annex.

[10] See, for example, general comment No. 29 on states of emergency adopted by the Human Rights Committee on 24 July 2001 (*Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 40* (A/56/40), vol. I, annex VI).

[11] See A/HRC/13/37 and Add.1 and 2.

(*i*) To review their procedures, practices and legislation regarding the surveillance and interception of communications and the collection of personal data, including mass surveillance, interception and collection, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law, and to take measures to ensure that interference with the right to privacy is regulated by law, which must be publicly accessible, clear, precise, comprehensive and non-discriminatory, and that such interference is not arbitrary or unlawful, bearing in mind what is reasonable for the pursuance of legitimate aims;

(*j*) To protect all human rights, including economic, social and cultural rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of these rights;

(*k*) To ensure that guidelines and practices in all border control operations and other pre-entry mechanisms are clear and fully respect their obligations under international law, particularly international refugee and human rights law, towards persons seeking international protection;

(*l*) To fully respect non-refoulement obligations under international refugee and human rights law and, at the same time, to review, with full respect for these obligations and other legal safeguards, the validity of a refugee status decision in an individual case if credible and relevant evidence comes to light that indicates that the person in question has committed any criminal acts, including terrorist acts, falling under the exclusion clauses under international refugee law;

(*m*) To refrain from returning persons, including in cases related to terrorism, to their countries of origin or to a third State whenever such transfer would be contrary to their obligations under international law, in particular international human rights, humanitarian and refugee law, including in cases where there are substantial grounds for believing that they would be in danger of subjection to torture, or where their lives or freedom would be threatened, in violation of international refugee law, on account of their race, religion, sex, nationality, membership in a particular social group or political opinion, bearing in mind the obligations that States may have to prosecute individuals not returned, and in that case, to adhere to the principle of extradite or prosecute;

(*n*) Insofar as such an act runs contrary to their obligations under international law, not to expose individuals to cruel, inhuman or degrading treatment or punishment by way of return to another country;

(*o*) To ensure that their laws criminalizing acts of terrorism are accessible, formulated with precision, non-discriminatory, non-retroactive and in accordance with international law, including human rights law;

(*p*) Not to resort to profiling based on stereotypes founded on grounds of discrimination prohibited by international law, including on racial, ethnic and/or religious grounds;

(*q*) To ensure that the interrogation methods used against terrorism suspects are consistent with their international obligations and are reviewed on a regular basis to prevent the risk of violations of their obligations under international law, including international human rights and refugee and humanitarian law;

(*r*) To ensure that any person who alleges that his or her human rights or fundamental freedoms have been violated has access to a fair procedure for seeking full, effective and enforceable remedy within a reasonable time and that where such

violations have been established, victims receive adequate, effective and prompt reparation, which should include, as appropriate, restitution, compensation, rehabilitation and guarantees of non-recurrence, including where the violation constitutes a crime under international or national law, to ensure accountability for those responsible for such violations;

(*s*) To ensure due process guarantees, consistent with all relevant provisions of the Universal Declaration of Human Rights,[1] and their obligations under the International Covenant on Civil and Political Rights, the Geneva Conventions of 1949[12] and the Additional Protocols thereto of 1977,[13] and the 1951 Convention relating to the Status of Refugees[14] and the 1967 Protocol thereto[15] in their respective fields of applicability;

(*t*) To ensure that gender equality and non-discrimination are taken into account when shaping, reviewing and implementing all counter-terrorism measures, and to promote the full and effective participation of women in those processes;

(*u*) To ensure that any measures taken or means employed to counter terrorism, including the use of remotely piloted aircraft, comply with their obligations under international law, including the Charter of the United Nations, human rights law and international humanitarian law, in particular the principles of distinction and proportionality;

7. *Also urges* States, while undertaking counter-terrorism activities, to respect their international obligations regarding humanitarian actors and to recognize the key role played by humanitarian organizations in areas where terrorist groups are active;

8. *Further urges* States, while countering terrorism, to take into account relevant United Nations resolutions and decisions on human rights, and encourages them to give due consideration to the recommendations of the special procedures and mechanisms of the Human Rights Council and to the relevant comments and views of United Nations human rights treaty bodies;

9. *Recognizes* the importance of the International Convention for the Protection of All Persons from Enforced Disappearance,[16] the implementation of which will make a significant contribution in support of the rule of law in countering terrorism, including by prohibiting places of secret detention, and encourages all States that have not yet done so to consider signing, ratifying or acceding to the Convention;

10. *Urges* all States that have not yet done so to sign, ratify or accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[5] and encourages States to consider ratifying as a matter of priority the Optional Protocol thereto,[17] the implementation of which will make a significant contribution in support of the rule of law in countering terrorism;

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[12] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[13] Ibid., vol. 1125, Nos. 17512 and 17513.

[14] Ibid., vol. 189, No. 2545.

[15] Ibid., vol. 606, No. 8791.

[16] Ibid., vol. 2716, No. 48088.

[17] Ibid., vol. 2375, No. 24841.

11. *Calls upon* the United Nations entities involved in supporting counter-terrorism efforts to continue to facilitate the promotion and protection of human rights and fundamental freedoms, as well as due process and the rule of law, while countering terrorism;

12. *Recognizes* the need to continue to ensure that fair and clear procedures under the United Nations terrorism-related sanctions regime are strengthened in order to enhance their efficiency and transparency, and welcomes and encourages the ongoing efforts of the Security Council in support of these objectives, including by supporting the enhanced role of the Office of the Ombudsperson and continuing to review all the names of individuals and entities in the regime, while emphasizing the importance of these sanctions in countering terrorism;

13. *Urges* States, while ensuring full compliance with their international obligations, to ensure the rule of law and to include adequate human rights guarantees in their national procedures for the listing of individuals and entities with a view to combating terrorism;

14. *Requests* the Special Rapporteur of the Human Rights Council on the promotion and protection of human rights and fundamental freedoms while countering terrorism to continue to make recommendations, in the context of his mandate, with regard to preventing, combating and redressing violations of human rights and fundamental freedoms in the context of countering terrorism, and to continue to report and engage in interactive dialogues on an annual basis with the General Assembly and the Human Rights Council in accordance with their programmes of work;

15. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of his mandated tasks and duties, including by reacting promptly to his urgent appeals and providing the information requested, and to give serious consideration to responding favourably to his requests to visit their countries, as well as to cooperate with other relevant procedures and mechanisms of the Human Rights Council regarding the promotion and protection of human rights and fundamental freedoms while countering terrorism;

16. *Welcomes* the work of the United Nations High Commissioner for Human Rights to implement the mandate given to him by the General Assembly in its resolution 60/158 of 16 December 2005, and requests him to continue his efforts in this regard;

17. *Takes note with appreciation* of the report of the Secretary-General on protecting human rights and fundamental freedoms while countering terrorism;[18]

18. *Takes note* of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism,[19] which refers, inter alia, to the negative impact that counter-terrorism legislation and other measures can have on civil society;

19. *Encourages* States, while countering terrorism, to undertake prompt, independent and impartial fact-finding inquiries whenever there are plausible indications of possible breaches of their obligations under international human rights law, with a view to ensuring accountability;

[18] A/70/271.
[19] A/70/371.

20. *Requests* the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, including by raising awareness, inter alia, through regular dialogue, about the need to respect human rights and the rule of law while countering terrorism and support the exchange of best practices to promote and protect human rights, fundamental freedoms and the rule of law in all aspects of counter-terrorism, including, as appropriate, those identified by the Special Rapporteur in his report submitted to the Human Rights Council pursuant to Council resolution 15/15;[20]

21. *Welcomes* the ongoing dialogue established in the context of the fight against terrorism between the Security Council and its respective bodies, namely, the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate, with the relevant bodies for the promotion and protection of human rights, and encourages the Security Council and the Counter-Terrorism Committee to strengthen the links, cooperation and dialogue with relevant human rights bodies, in particular with the Office of the High Commissioner, the Special Rapporteur, other relevant special procedures and mechanisms of the Human Rights Council and relevant treaty bodies, giving due regard to the promotion and protection of human rights and the rule of law in their ongoing work relating to counter-terrorism;

22. *Calls upon* States and other relevant actors, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy,[3] which, inter alia, reaffirms respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism;

23. *Requests* the Counter-Terrorism Implementation Task Force to continue its efforts to ensure that the United Nations can better coordinate and enhance its support to Member States in their efforts to comply with their obligations under international law, including international human rights and refugee and humanitarian law, while countering terrorism, and to encourage the Working Groups of the Task Force to incorporate a human rights perspective into their work;

24. *Encourages* relevant United Nations bodies and entities and international, regional and subregional organizations, in particular those participating in the Counter-Terrorism Implementation Task Force, which provide technical assistance, upon request, consistent with their mandates, related to the prevention and suppression of terrorism, to step up their efforts to ensure respect for international human rights and refugee and humanitarian law, as well as the rule of law, as an element of technical assistance, including in the adoption and implementation of legislative and other measures by States;

25. *Urges* relevant United Nations bodies and entities and international, regional and subregional organizations, including the United Nations Office on Drugs and Crime, within its mandate related to the prevention and suppression of terrorism, to step up their efforts to provide, upon request, technical assistance for building the capacity of Member States in the development and implementation of programmes of assistance and support for victims of terrorism in accordance with relevant national legislation;

26. *Calls upon* international, regional and subregional organizations to strengthen information-sharing, coordination and cooperation in promoting the

[20] A/HRC/16/51.

protection of human rights, fundamental freedoms and the rule of law while countering terrorism;

27. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the Human Rights Council and to the General Assembly at its seventy-second session;

28. *Decides* to continue the consideration of the question at its seventy-second session under the item entitled "Promotion and protection of human rights".

80th plenary meeting
17 December 2015

General Assembly

Distr.: General
2 March 2016

Seventieth session
Agenda item 72 (*b*)

Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/489/Add.2)*]

70/149. Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 69/178 of 18 December 2014, and Human Rights Council resolutions 18/6 of 29 September 2011 [1] and 25/15 of 27 March 2014,[2]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law, as set forth in Articles 1 and 2 of the Charter, and with full respect for, inter alia, sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[3] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources

[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. II.

[2] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.

[3] Resolution 217 A (III).

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of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Concerned about the continued abuse by Member States of the extraterritorial application of their national legislation in a manner that affects the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the full enjoyment of human rights,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures at the global level that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of, technology transfer to and capacity-building in developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Recalling Human Rights Council resolutions 5/1 on institution-building of the Council and 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council of 18 June 2007,[4] and stressing that all mandate holders shall discharge their duties in accordance with those resolutions and the annexes thereto,

Emphasizing the importance of a global and inclusive post-2015 development agenda for the promotion of a democratic and equitable international order,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Takes note* of the report of the Independent Expert of the Human Rights Council on the promotion of a democratic and equitable international order,[5] and

[4] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

[5] A/70/285 and Corr.1.

notes in this regard its focus on the adverse human rights impact of international investment agreements, bilateral investment treaties and multilateral free trade agreements on the international order;

4. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity,[6] and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

5. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal adherence to and implementation of the rule of law at both the national and international levels;

6. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(*a*) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(*b*) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(*c*) The right of every human person and all peoples to development;

(*d*) The right of all peoples to peace;

(*e*) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(*f*) International solidarity, as a right of peoples and individuals;

(*g*) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(*h*) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(*i*) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(*j*) The promotion of a free, just, effective and balanced international information and communications order based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow

[6] See A/CONF.189/12 and Corr.1, chap. I.

of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(*k*) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(*l*) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(*m*) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in international economic, commercial and financial relations;

(*n*) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(*o*) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, which should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms for all;

9. *Reaffirms*, among other principles, the sovereign equality of States, non-intervention and non-interference in internal affairs;

10. *Urges* all actors on the international scene to build an international order based on inclusion, social justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

11. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

12. *Underlines* that attempts to overthrow legitimate Governments by force disrupt the democratic and constitutional order, the legitimate exercise of power and the full enjoyment of human rights;

13. *Reaffirms* the need to continue working urgently for the establishment of a new international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations, in accordance with relevant previous General Assembly resolutions, programmes of action and major conferences and summits in the economic, social and related areas;

14. *Also reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

15. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

16. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Independent Expert;

17. *Calls upon* all Governments to cooperate with and assist the Independent Expert in his task, to supply all necessary information requested by him and to consider responding favourably to the requests of the Independent Expert to visit their countries to enable him to fulfil his mandate more effectively;

18. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the special mechanisms extended by the Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

19. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

20. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations and to disseminate it on the widest possible basis;

21. *Requests* the Independent Expert to submit to the General Assembly at its seventy-first session an interim report on the implementation of the present resolution and to continue his work;

22. *Decides* to continue consideration of the matter at its seventy-first session under the item entitled "Promotion and protection of human rights".

80th plenary meeting
17 December 2015

General Assembly

Distr.: General
1 March 2016

Seventieth session
Agenda item 72 (*b*)

Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/489/Add.2)*]

70/150. Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments,

Deeply convinced that United Nations action in the field of human rights should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.

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Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[3] and the elimination of double standards,

Reaffirming also the importance of the objectivity, independence, impartiality and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the promotion and protection of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights[2] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms for all, as a legitimate concern of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

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[3] A/CONF.157/24 (Part I), chap. III.

8. *Stresses* the continuing need for impartial and objective information on the political, economic and social situations and events of all countries, and in this context highlights the role of the media in raising public awareness on issues of public interest;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Human Rights Council to continue taking duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of the principles of non-selectivity, impartiality and objectivity, including in the context of the universal periodic review;

11. *Requests* the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on the question to the General Assembly at its seventy-second session;

12. *Decides* to consider the matter at its seventy-second session under the item entitled "Promotion and protection of human rights".

80th plenary meeting
17 December 2015

United Nations A/RES/70/151

General Assembly

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Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/489/Add.2)*]

70/151. Human rights and unilateral coercive measures

The General Assembly,

Recalling all its previous resolutions on this subject, the most recent of which was resolution 69/180 of 18 December 2014, and Human Rights Council decision 18/120 of 30 September 2011[1] and resolutions 24/14 of 27 September 2013[2] and 27/21 of 26 September 2014,[3] as well as previous resolutions of the Council and the Commission on Human Rights,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report of the Special Rapporteur of the Human Rights Council on the negative impact of unilateral coercive measures on the enjoyment of human rights, submitted pursuant to General Assembly resolution 69/180,[4] and recalling the reports of the Secretary-General on the implementation of Assembly resolutions 52/120 of 12 December 1997[5] and 55/110 of 4 December 2000,[6]

Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

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[1] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. III.

[2] Ibid., *Sixty-eighth Session, Supplement No. 53A* (A/68/53/Add.1), chap. III.

[3] Ibid., *Sixty-ninth Session, Supplement No. 53A* and corrigendum (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.

[4] A/70/345.

[5] A/53/293 and Add.1.

[6] A/56/207 and Add.1.

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Recalling the Final Document of the Sixteenth Ministerial Conference and Commemorative Meeting of the Movement of Non-Aligned Countries, held in Bali, Indonesia, from 23 to 27 May 2011,[7] the Final Document of the Sixteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Tehran from 26 to 31 August 2012,[8] and the documents adopted at previous summits and conferences, in which States members of the Movement agreed to oppose and condemn those measures or laws and their continued application, persevere with efforts to effectively reverse them, urge other States to do likewise, as called for by the General Assembly and other organs of the United Nations, and request States applying those measures or laws to revoke them fully and immediately,

Recalling also that, at the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, States were called upon to refrain from any unilateral measure not in accordance with international law and the Charter that creates obstacles to trade relations among States and impedes the full realization of all human rights[9] and also severely threatens the freedom of trade,

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[10] the Beijing Declaration and Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[11] the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996[12] and their five-year reviews, and in the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[13]

Expressing concern about the negative impact of unilateral coercive measures on international relations, trade, investment and cooperation,

Expressing grave concern that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly, the Human Rights Council, the Commission on Human Rights and recent major United Nations conferences, and contrary to general international law and the Charter, unilateral coercive measures continue to be promulgated and implemented, with all their negative implications for the social-humanitarian activities and economic and social development of developing

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[7] A/65/896-S/2011/407, annex I.

[8] A/67/506-S/2012/752, annex I.

[9] See A/CONF.157/24 (Part I), chap. III.

[10] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[11] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[12] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (A/CONF.165/14), chap. I, resolution 1, annexes I and II.

[13] Resolution 70/1.

countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,[14]

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights[15] and the International Covenant on Economic, Social and Cultural Rights,[15] which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

Noting the continuing efforts of the open-ended Working Group on the Right to Development of the Human Rights Council, and reaffirming in particular its criteria, according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,

1. *Urges* all States to cease adopting or implementing any unilateral measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature, with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[16] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Strongly urges* States to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter that impede the full achievement of economic and social development, particularly in developing countries;

3. *Condemns* the inclusion of Member States in unilateral lists under false pretexts, which are contrary to international law and the Charter, including false allegations of terrorism sponsorship, considering such lists as instruments for political or economic pressure against Member States, particularly developing countries;

4. *Urges* all States not to adopt any unilateral measures not in accordance with international law and the Charter that impede the full achievement of economic and social development by the population of the affected countries, in particular children and women, that hinder their well-being and that create obstacles to the full enjoyment of their human rights, including the right of everyone to a standard of living adequate for his or her health and well-being and his or her right to food, medical care and education and the necessary social services, as well as to ensure that food and medicine are not used as tools for political pressure;

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[14] Resolution 41/128, annex.

[15] See resolution 2200 A (XXI), annex.

[16] Resolution 217 A (III).

5. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States, and in this context calls upon all Member States neither to recognize those measures nor to apply them, as well as to take administrative or legislative measures, as appropriate, to counteract the extraterritorial applications or effects of unilateral coercive measures;

6. *Condemns* the continuing unilateral application and enforcement by certain Powers of unilateral coercive measures, and rejects those measures, with all their extraterritorial effects, as being tools for political or economic pressure against any country, in particular against developing countries, adopted with a view to preventing those countries from exercising their right to decide, of their own free will, their own political, economic and social systems, and because of the negative effects of those measures on the realization of all the human rights of vast sectors of their populations, in particular children, women, the elderly and persons with disabilities;

7. *Expresses grave concern* that, in some countries, the situation of children is adversely affected by unilateral coercive measures not in accordance with international law and the Charter that create obstacles to trade relations among States, impede the full realization of social and economic development and hinder the well-being of the population in the affected countries, with particular consequences for women, children, including adolescents, the elderly and persons with disabilities;

8. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

9. *Calls upon* Member States that have initiated such measures to abide by the principles of international law, the Charter, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are parties by revoking such measures at the earliest possible time;

10. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

11. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625 (XXV) of 24 October 1970, and the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States, proclaimed by the Assembly in its resolution 3281 (XXIX), in particular article 32 thereof, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

12. *Rejects* all attempts to introduce unilateral coercive measures, and urges the Human Rights Council to take fully into account the negative impact of those measures, including through the enactment and extraterritorial application of national laws that are not in conformity with international law, in its task concerning the implementation of the right to development;

13. *Requests* the United Nations High Commissioner for Human Rights, in discharging his functions relating to the promotion, realization and protection of the

right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in his annual report to the General Assembly;

14. *Underlines* the fact that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development,[14] and in this regard calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial application of national laws that run counter to the principles of free trade and hamper the development of developing countries, as recognized by the open-ended Working Group on the Right to Development of the Human Rights Council;

15. *Recognizes* that, in the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva from 10 to 12 December 2003,[17] States were strongly urged to avoid and refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations in building the information society;

16. *Reaffirms* paragraph 30 of the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[13] in which States are strongly urged to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations that impede the full achievement of economic and social development, particularly in developing countries;

17. *Recalls* the decision of the Human Rights Council, in its resolution 27/21,[3] to appoint a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, and welcomes the work done in delivering his mandate during the first year;

18. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate of the Special Rapporteur, and also requests them, in discharging their functions in relation to the promotion and protection of human rights, to pay due attention and to give urgent consideration to the present resolution;

19. *Recalls* that the Human Rights Council took note of the research-based progress report of its Advisory Committee containing recommendations on mechanisms to assess the negative impact of unilateral coercive measures on the enjoyment of human rights and to promote accountability;[18]

20. *Also recalls* the convening in the Human Rights Council of the first biennial panel discussion on the issue of unilateral coercive measures and human rights, and recognizes the importance of the future review by the Council of the report on the panel discussion to be issued by the Office of the United Nations High Commissioner for Human Rights, which should take into account the practical means and mechanisms proposed during the discussion, including, in particular, with regard to the issues of remedies and redress, with a view to promoting accountability and reparation;

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[17] A/C.2/59/3, annex, chap. I, sect. A.

[18] A/HRC/28/74.

21. *Welcomes* the increased attention paid by the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights to the negative impact of the application of unilateral coercive measures, and invites the Council to continue to explore ways to address this issue;

22. *Reiterates its support* for the invitation of the Human Rights Council to all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

23. *Reaffirms* the request of the Human Rights Council that the Office of the United Nations High Commissioner for Human Rights organize a workshop on the impact of the application of unilateral coercive measures on the enjoyment of human rights by the affected populations, in particular their socioeconomic impact on women and children, in the States targeted;

24. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-first session an interim report on the implementation of the present resolution and on the negative impact of unilateral coercive measures on the full enjoyment of human rights, and reiterates its request that he focus the report on the negative impact of unilateral coercive measures on the enjoyment of human rights of victims and address in the report the issues of remedies and redress with a view to promoting accountability and reparation;

25. *Invites* Governments to cooperate fully with the Special Rapporteur in the fulfilment of his mandate through, inter alia, the submission of comments and suggestions on the implications and negative effects of unilateral coercive measures on the full enjoyment of human rights;

26. *Decides* to examine the question on a priority basis at its seventy-first session, under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" of the item entitled "Promotion and protection of human rights".

80th plenary meeting
17 December 2015

General Assembly

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Seventieth session
Agenda item 72 (*b*)

Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/489/Add.2)*]

70/152. Promotion of equitable geographical distribution in the membership of the human rights treaty bodies

The General Assembly,

Recalling its previous resolutions on this question,

Reaffirming the importance of the goal of universal ratification of the United Nations human rights instruments,

Welcoming the significant increase in the number of ratifications of United Nations human rights instruments and the movement of some treaties towards universal ratification,

Reiterating the importance of the effective functioning of the treaty bodies established pursuant to United Nations human rights instruments for the full and effective implementation of those instruments,

Recognizing that the equitable geographical distribution of membership is an essential requirement for the effective functioning of the treaty bodies,

Recalling that, with regard to the election of the members of the human rights treaty bodies, the General Assembly and the former Commission on Human Rights recognized the importance of giving consideration in their membership to equitable geographical distribution, gender balance and representation of the principal legal systems and of bearing in mind that the members shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights,

Reaffirming the significance of national and regional particularities and various historical, cultural and religious backgrounds, as well as of different political, economic and legal systems,

Taking note of the report of the Secretary-General,[1]

Recognizing that the United Nations pursues multilingualism as a means of promoting, protecting and preserving diversity of languages and cultures globally

[1] A/70/257.

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and that genuine multilingualism promotes unity in diversity and international understanding,

Recalling that the General Assembly and the former Commission on Human Rights encouraged States parties to United Nations human rights treaties, individually and through meetings of States parties, to consider how to give better effect, inter alia, to the principle of equitable geographical distribution in the membership of treaty bodies,

Expressing its deep concern at the regional imbalance in the current composition of the membership of the human rights treaty bodies in favour in particular of representatives of members from Western European and other States, as indicated and highlighted in the report of the Secretary-General,

Reaffirming the importance of increasing efforts to address that imbalance,

Convinced that the goal of equitable geographical distribution in the membership of human rights treaty bodies is perfectly compatible and can be fully realized and achieved in harmony with the need to achieve gender balance and the representation of the principal legal systems in those bodies and the high moral character, acknowledged impartiality and recognized competence in the field of human rights of their members,

1. *Reiterates* that the States parties to the United Nations human rights instruments should take into account, in their nomination of members to the human rights treaty bodies, that these committees shall be composed of persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of persons having legal experience and to equal representation of women and men, and that members shall serve in their personal capacity, and also reiterates that, in the elections to the human rights treaty bodies, strong consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems;

2. *Urges* the States parties to the United Nations human rights instruments, including the bureau members, to include this matter in the agenda of each meeting and/or conference of States parties to those instruments in order to initiate a debate on ways and means to ensure equitable geographical distribution in the membership of the human rights treaty bodies, based on previous recommendations of the former Commission on Human Rights and the Economic and Social Council and the provisions of the present resolution;

3. *Encourages* the States parties to the United Nations human rights instruments to consider and adopt concrete actions, inter alia, the possible establishment of quotas by geographical region for membership of the treaty bodies, thereby ensuring the paramount objective of equitable geographical distribution in the membership of those human rights bodies;

4. *Recommends*, when considering the possible allocation of seats on each treaty body on a regional basis, the introduction of flexible procedures that encompass the following criteria:

(*a*) Each of the five regional groups established by the General Assembly is allocated seats on each treaty body in equivalent proportion to the number of States parties to the instrument in that group;

(*b*) There must be provision for periodic revisions of the allocation of seats in order to reflect relative changes in the level of treaty ratification in each regional group;

(*c*) Automatic periodic revisions should be envisaged in order to avoid amending the text of the instrument when the quotas are revised;

5. *Stresses* that the process needed to achieve the goal of equitable geographical distribution in the membership of human rights treaty bodies can contribute to raising awareness of the importance of gender balance, the representation of the principal legal systems and the principle that the members of the treaty bodies shall be elected and shall serve in their personal capacity, and shall be of high moral character, acknowledged impartiality and recognized competence in the field of human rights;

6. *Requests* the Secretary-General, in consultation with the Office of the United Nations High Commissioner for Human Rights, to submit to the General Assembly at its seventy-second session a comprehensive updated report in this regard, including information on any steps taken by States parties at meetings or conferences of States parties to address the matter of equitable geographical distribution in the membership of the human rights treaty bodies, as well as concrete recommendations on the implementation of the present resolution;

7. *Decides* to continue its consideration of the question at its seventy-second session under the item entitled "Promotion and protection of human rights".

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Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/489/Add.2)*]

70/153. Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[1] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration on 8 September 2000,[2] its resolution 69/179 of 18 December 2014, Human Rights Council resolution 28/2 of 26 March 2015[3] and the resolutions of the Commission on Human Rights on the enhancement of international cooperation in the field of human rights,

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, the Durban Review Conference, held in Geneva from 20 to 24 April 2009, and the political declaration of the high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action,[4] and their role in the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Recognizing also that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at

[1] A/CONF.157/24 (Part I), chap. III.

[2] Resolution 55/2.

[3] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.

[4] Resolution 66/3.

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strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Stressing the importance of international cooperation for improving the living conditions of all in every country, including, in particular, in developing countries,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, on the promotion of dialogue on human rights issues, by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[5]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

2. *Recognizes* that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality and equity at the global level;

3. *Reaffirms* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of conferences and meetings at the national, regional and international levels on dialogue among civilizations;

4. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

5. *Reaffirms* the importance of the enhancement of international cooperation for the promotion and protection of human rights and for the achievement of the objectives of the fight against racism, racial discrimination, xenophobia and related intolerance;

6. *Considers* that international cooperation in the field of human rights, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and fundamental freedoms;

7. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality,

[5] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

non-selectivity, cooperation and genuine dialogue, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

8. *Emphasizes* the need for a cooperative approach on the part of all stakeholders to resolving human rights issues in international forums;

9. *Also emphasizes* the role of international cooperation in support of national efforts and in increasing the capacities of Member States in the field of human rights through, inter alia, the enhancement of their cooperation with human rights mechanisms, including through the provision of technical assistance, upon the request of and in accordance with the priorities set by the States concerned;

10. *Calls upon* Member States, the specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

11. *Urges* States to take measures necessary to enhance bilateral, regional and international cooperation aimed at addressing the adverse impact of consecutive and compounded global crises, such as financial and economic crises, food crises, climate change and natural disasters, on the full enjoyment of human rights;

12. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

13. *Recalls* the seminar on the enhancement of international cooperation in the field of human rights held in 2013, with the participation of States, relevant United Nations agencies, funds and programmes and other stakeholders, including academic experts and civil society;

14. *Also recalls* the high-level panel discussion on the theme "Enhancement of international cooperation in the field of human rights" held during the twenty-eighth session of the Human Rights Council, in March 2015;

15. *Requests* the Secretary-General, in collaboration with the United Nations High Commissioner for Human Rights, to consult States and intergovernmental and non-governmental organizations on ways and means, as well as on obstacles and challenges and possible proposals to overcome them, for the enhancement of international cooperation and genuine dialogue in the United Nations human rights machinery, including the Human Rights Council;

16. *Decides* to continue its consideration of the question at its seventy-first session.

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Resolution adopted by the General Assembly on 17 December 2015

[*on the report of the Third Committee (A/70/489/Add.2)*]

70/154. The right to food

The General Assembly,

Reaffirming the Charter of the United Nations and its importance for the promotion and protection of all human rights and fundamental freedoms for all,

Reaffirming also all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition,[2] the United Nations Millennium Declaration,[3] in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015, and the 2030 Agenda for Sustainable Development,[4] in particular the Sustainable Development Goals on ending hunger, achieving food security and improved nutrition and promoting sustainable agriculture and on ending poverty in all its forms everywhere,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[5] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security, the World Food Summit Plan of Action and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

Reaffirming the importance of the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of

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[1] Resolution 217 A (III).

[2] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[3] Resolution 55/2.

[4] Resolution 70/1.

[5] See resolution 2200 A (XXI), annex.

[6] A/57/499, annex.

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the Food and Agriculture Organization of the United Nations in November 2004,[7] as well as the Rome Declaration on Nutrition and the Framework for Action, adopted in Rome on 21 November 2014,[8]

Reaffirming also the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted in Rome on 16 November 2009,[9]

Reaffirming further that all human rights are universal, indivisible, interdependent and interrelated and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food and nutrition security and poverty eradication,

Reiterating, as set out in the Rome Declaration on World Food Security, the Declaration of the World Food Summit and the Rome Declaration on Nutrition, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter and that endanger food and nutrition security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action as well as in the Rome Declaration on Nutrition and the Framework for Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food and nutrition security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing the complex character of the global food crisis, in which the right to adequate food has been threatened to be violated on a substantial scale, as a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as natural disasters and the lack in many countries of the appropriate technology, investment and capacity-building necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States, and the need for coherence and collaboration between international institutions at the global level,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the impacts of the global food crisis,

Stressing that improving access to productive resources and investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, through, inter alia, the promotion of investments in

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[7] E/CN.4/2005/131, annex.

[8] World Health Organization, document EB 136/8, annexes I and II.

[9] See Food and Agriculture Organization of the United Nations, document WSFS 2009/2.

appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts and tackle water scarcity, as well as in programmes, practices and policies to scale up agroecological approaches,

Expressing its deep concern at the number and scale of natural disasters, diseases and pest infestations, as well as the negative impact of climate change, and their increasing impact in recent years, which have resulted in substantial loss of life and livelihood and threatened agricultural production and food and nutrition security, in particular in developing countries,

Emphasizing that a multisectoral approach that integrates nutrition across all sectors, including agriculture, health, water and sanitation, social protection and education, as well as a gender perspective, is critical to achieving global food and nutrition security and the realization of the right to food,

Recalling the endorsement of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security [10] by the Committee on World Food Security at its thirty-eighth session, held on 11 May 2012, and by the Council of the Food and Agriculture Organization of the United Nations at its 144th session,

Recalling also the Principles for Responsible Investment in Agriculture and Food Systems,[11] which were endorsed by the Committee on World Food Security at its forty-first session, held from 13 to 18 October 2014,

Stressing the importance of the Second International Conference on Nutrition, hosted by the World Health Organization and the Food and Agriculture Organization of the United Nations in Rome from 19 to 21 November 2014, and of its outcome documents, the Rome Declaration on Nutrition and the Framework for Action,

Stressing also the need to increase official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and the right to food for all,

Noting the cultural values of dietary and eating habits in different cultures, and recognizing that food plays an important role in defining the identity of individuals and communities and is a cultural component that describes and gives value to a territory and its inhabitants,

Recognizing the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Recalling the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", and recalling the commitment therein to work together to promote sustained and inclusive economic

[10] Food and Agriculture Organization of the United Nations, document CL 144/9 (C 2013/20), appendix D.

[11] Food and Agriculture Organization of the United Nations, document C 2015/20, appendix D.

growth, social development and environmental protection and thereby to benefit all, endorsed by the General Assembly in its resolution 66/288 of 27 July 2012,

Recalling also the Sendai Framework for Disaster Risk Reduction 2015–2030[12] and its guiding principles, which, inter alia, recognize the importance of promoting regular disaster preparedness and response and recovery exercises, with a view to ensuring rapid and effective response to disasters and related displacement, including access to essential food and non-food relief supplies, as appropriate to local needs, as well as of fostering collaboration across global and regional mechanisms and institutions for the implementation and coherence of instruments and tools relevant to disaster risk reduction, such as for climate change, biodiversity, sustainable development, poverty eradication, environment, agriculture, health, food and nutrition and others, as appropriate,

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 die from hunger-related illness and that, as estimated by the Food and Agriculture Organization of the United Nations, about 795 million people in the world remain undernourished due to the lack of sufficient food for conducting an active and healthy life, including as one of the effects derived from the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its concern* at the fact that the effects created by the world food crisis still continue to have serious consequences for the poorest and most vulnerable people, particularly in developing countries, which have been further aggravated by the impacts of the world financial and economic crisis, and at the particular effects of this crisis on many net food-importing countries, especially least developed countries;

5. *Expresses its deep concern* that, according to the report of the Food and Agriculture Organization of the United Nations, entitled *The State of Food Insecurity in the World 2015*, the number of hungry people in the world remains unacceptably high and the vast majority of hungry people live in developing countries;

6. *Expresses its concern* that women and girls are disproportionately affected by hunger, food and nutrition insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as

[12] Resolution 69/283, annex II.

likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular when they contribute to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and that women have equal access to resources, including income, land and water and their ownership and agricultural inputs, as well as full and equal access to health care, education, science and technology, to enable them to feed themselves and their families, and in this regard stresses the need to empower women and strengthen their role in decision-making;

8. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue to mainstream a gender perspective in the fulfilment of her mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to continue to integrate a gender perspective into their relevant policies, programmes and activities;

9. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

10. *Calls upon* all States and, if appropriate, relevant international organizations to take measures and support programmes that are aimed at combating undernutrition in mothers, in particular during pregnancy, and in children, and the irreversible effects of chronic undernutrition in early childhood, in particular from birth to the age of 2 years;

11. *Also calls upon* all States and, where appropriate, relevant international organizations to implement policies and programmes to reduce and eliminate preventable mortality and morbidity, as a result of malnutrition, of children under 5 years of age, and in this regard urges States to disseminate the technical guidance prepared by the Office of the United Nations High Commissioner for Human Rights, in collaboration with the World Health Organization [13] and to apply it, as appropriate, in the design, implementation, evaluation and monitoring of laws, policies, programmes, budgets and mechanisms for remedy and redress aimed at eliminating preventable mortality and morbidity of children under 5 years of age;

12. *Encourages* all States to take steps, with a view to progressively achieving the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

13. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

14. *Stresses* that improving access to productive resources and public investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investment, including private investment, in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts and to tackle water scarcity;

[13] A/HRC/27/31.

15. *Recognizes* the critical contribution made by the fisheries sector to the realization of the right to food and to food security and the contribution of small-scale fishers to the local food security of coastal communities;

16. *Also recognizes* that 70 per cent of hungry people live in rural areas, where nearly half a billion family farmers are located, and that these people are especially vulnerable to food insecurity given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access for their products to national and international markets and empowerment of small producers, particularly women, in value chains, is a key element for food security and the provision of the right to food;

17. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[14]

18. *Urges* States that have not yet done so to favourably consider becoming parties to the Convention on Biological Diversity[15] and to consider becoming parties to the International Treaty on Plant Genetic Resources for Food and Agriculture[16] as a matter of priority;

19. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples,[17] acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face in achieving the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

20. *Welcomes* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held on 22 and 23 September 2014,[18] and the commitment to developing, in conjunction with the indigenous peoples concerned and where appropriate, policies, programmes and resources to support indigenous peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition;

21. *Notes* the need to further examine various concepts, such as "food sovereignty", and their relation with food security and the right to food, bearing in

[14] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[15] Ibid., vol. 1760, No. 30619.

[16] Ibid., vol. 2400, No. 43345.

[17] Resolution 61/295, annex.

[18] Resolution 69/2.

mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

22. *Requests* all States and private actors, as well as international organizations, within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

23. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting their enjoyment of the right to food;

24. *Takes note with appreciation* of the growing movement, in different regions of the world, towards the adoption of framework laws, national strategies and measures in support of the full realization of the right to food for all;

25. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

26. *Calls for* the conclusion and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions that permit the full realization of the right to food;

27. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

28. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty, as well as non-communicable diseases;

29. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and once again invites all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the funding necessary to realize the right to food, as set out in the Rome Declaration on World Food Security, and to achieve the aims of Goal 2 of the 2030 Agenda for Sustainable Development[4] and other food and nutrition-related targets;

30. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

31. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

32. *Stresses* the importance of international cooperation and development assistance as an effective contribution both to the expansion and improvement of agriculture and its environmental sustainability, food production, breeding projects on diversity of crops and livestock and institutional innovations such as community seed banks, farmer field schools and seed fairs, and to the provision of humanitarian food assistance in activities related to emergency situations for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

33. *Also stresses* that States parties to the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights should consider implementing that agreement in a manner that is supportive of food security, while being mindful of the obligation of Member States to promote and protect the right to food;

34. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across different regions, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including Southern Africa;

35. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on its realization;

36. *Takes note with appreciation* of the interim report of the Special Rapporteur,[19] which underlines, inter alia, the adverse impact of climate change on the right to food;

37. *Recognizes* the importance of giving due consideration to the adverse impact of climate change and to the full realization of the right to food, and looks forward to the outcome to be reached in Paris at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change;

38. *Reiterates its support* for the realization of the mandate of the Special Rapporteur, and requests the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for its effective fulfilment;

39. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its general comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[20] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person, indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights and inseparable

[19] A/70/287.

[20] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

40. *Recalls* general comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[21] in which the Committee noted, inter alia, the importance of ensuring sustainable access to water resources for human consumption and agriculture in realization of the right to adequate food;

41. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7] represent a useful tool to promote the realization of the right to food for all, contribute to the achievement of food security, and thus provide an additional instrument in the attainment of internationally agreed development goals and to support national Governments in the implementation of food security and nutrition policies, programmes and legal frameworks;

42. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in her task, to supply all necessary information requested by her and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable her to fulfil her mandate more effectively;

43. *Requests* the Special Rapporteur to submit to the General Assembly at its seventy-first session an interim report on the implementation of the present resolution and to continue her work, including by examining the emerging issues with regard to the realization of the right to food within her mandate;

44. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of her mandate through, inter alia, the submission of comments and suggestions on ways and means of realizing the right to food;

45. *Decides* to continue the consideration of the question at its seventy-first session under the item entitled "Promotion and protection of human rights".

80th plenary meeting
17 December 2015

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[21] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.